

REFERENCE TITLE: **human cloning**

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1208

Introduced by
Senator Gray C

AN ACT

AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 14; RELATING TO HUMAN CLONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 36, Arizona Revised Statutes, is amended by adding
3 chapter 14, to read:

CHAPTER 14

HUMAN CLONING

ARTICLE 1. GENERAL PROVISIONS

36-1701. Definitions

IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "ASEXUAL REPRODUCTION" MEANS REPRODUCTION THAT IS NOT INITIATED BY THE UNION OF OOCYTE AND SPERM.

2. "EMBRYO" MEANS A HUMAN ORGANISM FROM THE SINGLE CELL STATE TO EIGHT WEEKS OF DEVELOPMENT.

3. "FETUS" MEANS A HUMAN ORGANISM FROM EIGHT WEEKS OF DEVELOPMENT UNTIL COMPLETE EXPULSION OR EXTRACTION FROM A WOMAN'S BODY, OR REMOVAL FROM AN ARTIFICIAL WOMB OR OTHER SIMILAR ENVIRONMENT DESIGNED TO NURTURE THE DEVELOPMENT OF THE ORGANISM.

4. "HUMAN CLONING" MEANS ASEXUAL REPRODUCTION OF A HUMAN OR ANY PART OF A HUMAN THAT IS ACCOMPLISHED BY INTRODUCING THE GENETIC MATERIAL FROM ONE OR MORE HUMAN SOMATIC CELLS INTO A FERTILIZED OR UNFERTILIZED OOCYTE WHOSE NUCLEAR MATERIAL HAS BEEN REMOVED OR INACTIVATED SO AS TO PRODUCE A LIVING ORGANISM, AT ANY STAGE OF DEVELOPMENT, THAT IS GENETICALLY VIRTUALLY IDENTICAL TO AN EXISTING OR PREVIOUSLY EXISTING HUMAN ORGANISM IN WHOLE OR IN PART.

5. "OOCYTE" MEANS THE HUMAN FEMALE GERM CELL.

6. "SOMATIC CELL" MEANS A DIPLOID CELL THAT HAS A COMPLETE CELL OF CHROMOSOMES AND THAT WAS OBTAINED OR DERIVED FROM A LIVING OR DECEASED HUMAN BODY AT ANY STAGE OF DEVELOPMENT.

36-1702. Human cloning prohibited; classification; additional fine

A. IT IS UNLAWFUL FOR ANY PERSON OR PUBLIC OR PRIVATE ENTITY TO INTENTIONALLY OR KNOWINGLY:

1. PERFORM OR ATTEMPT TO PERFORM HUMAN CLONING.

2. PARTICIPATE IN AN ATTEMPT TO PERFORM HUMAN CLONING.

3. SHIP, TRANSFER OR RECEIVE FOR ANY PURPOSE AN EMBRYO PRODUCED BY HUMAN CLONING.

4. SHIP, TRANSFER OR RECEIVE, IN WHOLE OR IN PART, ANY OOCYTE, EMBRYO, FETUS OR HUMAN SOMATIC CELL FOR THE PURPOSE OF HUMAN CLONING.

B. A PERSON OR ENTITY THAT VIOLATES SUBSECTION A, PARAGRAPH 1 OR 2 OF SECTION IS GUILTY OF A CLASS 6 FELONY. NOTWITHSTANDING SECTION 13-702, SECTION G, THE OFFENSE SHALL NOT BE DESIGNATED AS A CLASS 1 MISDEMEANOR.

C. A PERSON OR ENTITY THAT VIOLATES SUBSECTION A, PARAGRAPH 3 OR 4 OF THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

D. IN ADDITION TO A PENALTY IMPOSED PURSUANT TO SUBSECTION B OR C OF THIS SECTION, THE COURT SHALL ORDER A PERSON OR ENTITY CONVICTED OF A VIOLATION OF THIS SECTION TO PAY A FINE OF AT LEAST TWO HUNDRED FIFTY

1 THOUSAND DOLLARS OR TWICE THE AMOUNT OF ANY PECUNIARY GAIN THAT IS RECEIVED
2 BY THE PERSON OR ENTITY, WHICHEVER IS GREATER.

3 36-1703. Application of article: scientific research; in vitro
4 fertilization

5 A. THIS ARTICLE DOES NOT RESTRICT AREAS OF SCIENTIFIC RESEARCH THAT
6 ARE NOT SPECIFICALLY PROHIBITED BY SECTION 36-1702, INCLUDING RESEARCH IN THE
7 USE OF NUCLEAR TRANSFER OR OTHER CLONING TECHNIQUES TO PRODUCE MOLECULES,
8 DNA, CELLS OTHER THAN HUMAN EMBRYOS, TISSUES, ORGANS, PLANTS OR ANIMALS OTHER
9 THAN HUMANS.

10 B. THIS ARTICLE DOES NOT APPLY TO IN VITRO FERTILIZATION, THE
11 ADMINISTRATION OF FERTILITY ENHANCING DRUGS OR OTHER MEDICAL PROCEDURES USED
12 TO ASSIST A WOMAN IN BECOMING OR REMAINING PREGNANT IF THAT PROCEDURE IS NOT
13 SPECIFICALLY INTENDED TO RESULT IN THE GESTATION OR BIRTH OF A CHILD WHO IS
14 GENETICALLY IDENTICAL TO ANOTHER EMBRYO, FETUS OR LIVING OR DEAD HUMAN BEING.